

**MINUTES OF THE BOARD OF APPEALS OF THE CITY OF CUDAHY, WI.  
HELD AT THE MUNICIPAL BUILDING, 5050 S. LAKE DR., CUDAHY, WI.  
Wednesday, April 14, 2010**

**ROLL CALL**

Chairman Harry Savagian called the meeting to order at 6:35 PM with the following members present: Harry Savagian, Will Kaszuba, Kathy Wojtysiak, Jim Hooper, Glen Walters and Neil Jensen. Alternate member Randy Pheifer was also present but did not vote.

**OPEN MEETING STATEMENT**

The proper open meeting statement was read.

Notice was given that petitioners will be given 10 minutes to make a presentation in support of their request before the Board. The supporters, if any would like to be heard, shall not exceed 20 minutes. All petitioners shall step up to the microphone and identify themselves and give their addresses before speaking. At the conclusion of statements from the audience the Board of appeals shall deliberate in open session toward a decision. Only members of the Board shall speak at that time and no further comments from the public shall be allowed.

**APPEAL NO. 1:** To hear the appeal of Claytons West LLC; 2701-03 Somers Ct.  
Type or Building Use: 2 Family Residential **Zoning:** RD-2 **Key No:** 630-0236/0237  
**Lot Size:** 57 x 114  
**Requested Variance:** Asking to be allowed to continue construction of building.

The reason for denial of approval/permit is as follows:

Cudahy Municipal Code Sec: 14.06 (11)(a)Lapse of Permit

A building permit shall lapse and be void unless building operations are commenced within 4 months from the date of issue, or if the building or work authorized by such permit is suspended for 90 days at any time after work is commenced, except for delays caused by fire, strikes, acts of God or other causes beyond the control of the permittee. The 90-day period shall be cumulative. Construction on any building shall be completed within 24 months from the date of issue of a building permit, unless the board of Appeals grants an extension of time.

Inspector Greg Loferski explained the permit code. The City has the option after 2 years to grant an extension of time on building permit. Original permit fee was \$1,390.56 and was issued on December 6, 2006. The permit extension would be for 24 months. There has been discussion of a raze order from the City of Cudahy. The last inspection of the partially completed building was February 5, 2007.

Bill Bodner, owner of Clayton West LLC of 11518 N. Port Washington Rd. appeared before the board to present his arguments. Mr. Bodner presented site plan three years ago and started development when the market took a turn in 2006. He decided to stop building because there was no market and he could not complete the development. He

stated that the market is better now and he is requesting an extension to the permit. He stated that the plans are out for bid right now although the financing is not yet secured, he is working on obtaining supporters.

Shawn Vannatta, President of the Building Association is opposed stated that the association is concerned about safety. He stated that it has been an eyesore and a hazard and recommended that it be razed with the foundation being inspected. Mr. Vannatta doesn't feel the structure is buildable the way it is now.

Ron Joquist of 2626 E. Holmes Avenue appeared before the Board stating that he is opposed to an extension.

Linda Slattery, 2833 E. Somers Ct, Secretary/Treasurer of the Building Association stated that she is opposed and concerned that the project could begin again and then stop for another 2 years.

Mary Kazmierczak of 2777 E. Somers Ct. opposed the extension as the property has not been maintained.

Patrick Slattery would like to see the building torn down and the site cleaned up so the builder can then complete the project properly.

**MOTION MADE BY KATHY WOJTYSIAK, SECOND BY WILL KASZUBA** to grant an extension of time to begin construction of the building no later than July 1, 2010. If no construction is begun by July 1, 2010, a raze order will be issued by the City of Cudahy. Occupancy permit must be obtained by July 2, 2012. Glen Walters, Jim Hooper, Kathy Wojtysiak, Neil Jensen and Harry Savagian voted "aye". Will Kaszuba voted "no". Motion carried.

**MOTION TO ADJOURN BY KATHY WOJTYSIAK, SECOND BY WILL KASZUBA** @ 8:32 PM. Motion carried.

Submitted by: Neil Jensen, Secretary